

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WALLACE L. MEIGHAN,

Petitioner,

v.

CV 10-0308 JB/WPL

RAY TERRY, WARDEN,

Respondent.

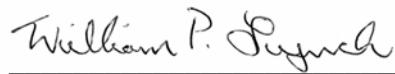
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

Wallace L. Meighan filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, contending that he was being unlawfully detained by Immigration and Customs Enforcement pending an order of removal. (Doc. 1.) Respondent filed a motion to dismiss, arguing that the petition was not ripe because no final order of removal had been entered. (Doc. 8.) Respondent later filed three amended motions to dismiss, arguing that the petition is now moot because Meighan was removed to Belize on June 29, 2010. (Doc. 13, 14, 15.)¹ Meighan's counsel concurs that the case should be dismissed as moot. (*See* Doc. 15.)

I therefore recommend that Respondent's first three motions to dismiss (Doc. 8, 13, and 14) be denied as MOOT, that Respondent's Third Amended Unopposed Motion to Dismiss Petition Without Prejudice (Doc. 15) be GRANTED, and that the petition and this proceeding be DISMISSED.

¹ Three motions were filed to correct defects in the previous motions.

THE PARTIES ARE NOTIFIED THAT WITHIN 14 DAYS OF SERVICE of a copy of these Proposed Findings and Recommended Disposition they may file written objections with the Clerk of the District Court pursuant to 28 U.S.C. § 636(b)(1). **A party must file any objections with the Clerk of the District Court within the fourteen-day period if that party wants to have appellate review of the Proposed Findings and Recommended Disposition. If no objections are filed, no appellate review will be allowed.**



WILLIAM P. LYNCH
UNITED STATES MAGISTRATE JUDGE